

memorandum

date February 11, 2010
to Chehalis River Basin Flood Authority
from ESA Adolfson
subject Flood District RFQ

Background

At the January 21 meeting of the Flood Authority, the Authority asked ESA Adolfson to prepare an RFQ for a consulting firm to assist in formation of a Flood Control District or a Flood Control Zone District. The objective of the study is 1) to bring together stakeholders in the basin to make a decision on which type of district to pursue and 2) to assist in formation of the district.

The consultant would:

- Provide the highly specialized legal knowledge and experience needed to select the most advantageous form of district and set up a basin wide district.
- Develop and carry out a basin-wide public involvement process for successful adoption and formation of the district.
- Develop an interlocal agreement between participating jurisdictions that covers governance, decision making, accounting, operations, and collecting and spending of funds.
- Provide the economic expertise to analyze the direct and indirect benefits of a district necessary to garner political support for the district and develop an economic basis for rates and charges.
- Perform an analysis of alternatives and preferred methods for setting rates and charges.

Neither local jurisdiction staff nor the Authority's current consulting team has the expertise necessary to complete these necessary tasks.

ESA Adolfson has prepared a draft RFQ, which is attached here. The RFQ includes a detailed scope of work.

Timing

A basin-wide governance and funding mechanism needs to be in place by June 2011 or shortly thereafter. The Authority has requested a supplemental budget with funding through June 2011, but can not depend on supplemental budgets beyond that point. To be successful within this timeframe a firm must be chosen quickly. ESA Adolfson has developed an accelerated schedule for completion of the RFQ process. To meet these goals, we ask that the Flood Authority take action and approve this RFQ at the February 18 meeting. Lewis County is prepared to post the RFP on Monday, February 22.

Selection Process

ESA Adolfson recommends that the Board Advisory Committee serve as a selection committee for this project. (If the Authority would like to appoint a different subcommittee we recommend that they do so at the February 18 meeting to keep the selection process on schedule).

Proposals are due to Lewis County on March 15th. The selection committee will meet the week of the 15th to review proposals and select a team or a group of teams for interviews. If interviews are needed, they will take place the week of March 22nd. Negotiations on scope and contract with the selected firm will take place in early April. Firm selection and a final contract and scope will be presented to the Authority at the April 15th meeting for approval.

Chehalis River Basin Flood Authority – Flood District Formation

REQUEST FOR QUALIFICATIONS

Date Issued: February 22, 2010

Proposals Due: March 15, 2010 prior to 9:00 a.m.

Lewis County, Lead Agency for the Chehalis River Basin Flood Authority (Flood Authority) is seeking a qualified consulting firm or team to provide assistance in formation of a multi-county flood district. The first phase involves convening stakeholders to determine which of two types of flood districts to pursue. The second phase involves formation of the district, including formation of an advisory committee, economic analysis of the benefits of district formation, alternatives for setting rates and charges, a public involvement process, formation of an interlocal agreement between stakeholders, and the legal process of district formation.

Background:

For more than 70 years, the local communities of the Chehalis River Basin have worked with a variety of public agencies to find solutions to the chronic flooding problems throughout the basin. However, residents of the watershed today remain fearful that lack of flood protection leaves them vulnerable to the next storm event. Recent flood events occurred in 1996, 2007, and 2009.

The Flood Authority was formed by an Interlocal Agreement among eleven jurisdictions in the Chehalis River basin following the 2007 flood. One of the purposes of the Flood Authority is to develop and implement flood hazard mitigation measures throughout the basin.

The Flood Authority is a temporary entity, and one of its goals is to form a legal entity (or entities) with a governance and finance structure. Such a structure is needed to fund Flood Authority activities beyond June 2011 and to implement the recommended actions in the Flood Authority's Comprehensive Flood Hazard Management Plan (currently in draft form). The Authority has narrowed its considerations to two types of flood districts authorized by RCW: a Flood Control District, authorized by RCW 86.09; and a Flood Control Zone District, authorized by RCW 86.15. A Flood Control District can be formed across multiple counties by a public vote. A Flood Control Zone District may only be formed within a single county, but a basin-wide entity could be formed with an interlocal agreement between the Flood Control Zone Districts of each county.

The Flood Authority initially was considering a Flood Control District, because it could be formed across county lines at a basin-wide scale. In 2008, meetings were held with all Commissioners from Grays Harbor, Lewis, and Thurston Counties, as well as representatives of the Chehalis Tribe, and the group decided to pursue a Flood Control District and sought legislative changes necessary to make it applicable to the Chehalis River Basin. In recent months, the Flood Authority has broadened the discussion to include the possibility of forming Flood Control Zone Districts. However, a decision on what type of district to pursue cannot be made solely by the Flood Authority. The Flood Authority needs input from all stakeholders in the basin, including the Chehalis Tribe, the Commissioners of the three Counties, the legislative groups of the other Authority members, and the public.

The Flood Authority is seeking advice and assistance concerning which form of flood district to advocate and then assistance with the formation of the selected district.

In the interests of soliciting quality and informed submittals, the current draft Comprehensive Flood Hazard Management Plan, the Interlocal Agreement creating the Flood Authority and amendments thereto, and memos and meeting notes related to Flood Authority discussions on flood districts will be provided to all proposers.

Objectives:

This work has two objectives which represent two distinct phases of work. The first objective is to bring together stakeholders throughout the basin, provide them with information on the two types of flood districts, and bring them to a decision about which type of flood district to pursue. The second objective is to work with the Flood Authority and its member jurisdictions to form the selected district(s).

Tasks:

The major tasks associated with this project are listed below.

Phase One: Decision Making

1. Identify and meet with all stakeholders in decision-making.
2. Convene one to three meetings of all nine county commissioners and representatives of the Chehalis Tribe to discuss and make decisions on which type of district to pursue.
3. Develop and implement a public involvement process to ensure citizen input is considered.
4. Obtain approval from the Flood Authority on the selected type of district for authorization to begin Phase Two.
5. Prepare a work plan describing the specific tasks required for the formation of the selected type of district in Phase Two.

Phase Two: District Formation

The specific tasks associated with Phase Two will not be known until a determination is made on which type of district will be formed. Tasks are expected to include the following:

1. Formation of an advisory committee.
2. Economic analysis of the direct and indirect benefits of a district, sufficient to serve as a basis for rates and charges (task 4) and to garner public understanding and the potential benefits of a basin-wide district.

3. Development and implementation of a public involvement plan consistent with public participation standards in state law.
4. Analysis of alternatives and preferred methods for setting rates and charges.
5. Formation of an interlocal agreement between consenting jurisdictions covering agreements on elections, governance, decision making, accounting, operations, and collecting and spending of funds.
6. Assistance to basin jurisdictions with the formation of the chosen district, including legal process (including the boundary review board if necessary) and elections if needed.

Timeframe:

Work under Phase One is to be completed no later than August 30, 2010. Work under Phase Two is to be completed by June 30, 2011. The work may be extended or modified at the discretion of the Flood Authority.

Format of Qualifications and Requirements:

Letter of Interest: Introduce yourself and the team and demonstrate your understanding of the nature of the project.

Personnel: Identify and include brief resumes listing qualifications of key personnel who would be assigned to this work, and describe the anticipated roles of team members in the work. Specify the Principal in Charge and the Project Manager who will serve as the primary contact person. Provide a chart showing the organizational structure of the team.

Experience: Discuss your related experience based upon 2-4 relevant projects, including client and project information, with your responsibility in the projects, the challenges presented by each project, and the final results. Discuss experience with developing flood districts.

Client References: Please provide three references that are familiar with your ability to undertake and complete comparable work. Include contact names, titles and telephone numbers.

Submittal Information and Proposal Schedule:

Preliminary Schedule (Subject to change)

RFQ Issued February 22, 2010

SOQ submittal deadline March 15, 2010, 9:00 a.m.

Notify finalists or selected consultant March 22, 2010

Finalist interviews week of March 22, 2010

Final selection March 26, 2010

Contract scope and budget development early April, 2010

Recommendation presented to the Flood Authority April 15, 2010

Flood Authority makes recommendation to Lewis County April 15, 2010

Lewis County executes contract for services April 19, 2010

Note: The Flood Authority and Lewis County reserves the right to modify the schedule as circumstances may warrant.

Qualifications Quantities, Due Date, Time, Location

Submit 1 original unbound copy, 1 electronic copy, and 10 comb-bound copies of the Request for Qualifications proposal, which should be a maximum of 25 single-sided 8.5" by 11" pages in 12 point font. Individual resumes are limited to two (2) pages and may be included as an appendix not counted in the proposal page limit. Proposals are due in the office of Lewis County Clerk of the Board no later than 9:00 a.m. on March 15, 2010. Proposals submitted by any means other than mailing, courier or hand delivery will not be accepted. Proposals submitted after the deadline date and time will not be accepted.

Submittal Address

Clerk of the Board / Flood Authority Flood District RFQ
Lewis County Board of County Commissioners
351 NW North Street Room 209
Chehalis, WA 98532

Communications with the Authority and Lewis County

Any questions regarding the submittal process and/or aspects of the Request for Qualifications may be made via e-mail to Bruce Mackey of ESA Adolfson at bmackey@esassoc.com.

Only e-mail communications will be accepted. All responses will be provided via e-mail. Questions and responses will be shared with all firms that provide an e-mail address to Mr. Mackey. No questions will be accepted after Thursday, March 11th at the 5:00 p.m. close of business.

The Request for Qualifications and supporting documents are available for review on the Lewis County web site, www.lewiscountywa.gov, or at the Department of Community Development, 2025 NE Kresky Ave., Chehalis, WA, 98532 during regular business hours.

Minimum Qualifications

It is mandatory that the Bidder have:

- License to do business within the State of Washington.
- Insurance from an insurance carrier or carriers licensed to conduct business in the state of Washington and having a rating of A-, Class VII or better, in the most recently published edition of Best's Reports.
- Professional level knowledge of Washington state regulations related to flood district formation and other special districts.

- Demonstrated experience in the formation of a flood district in the state of Washington .
- Professional level experience working with tribal, state and local organizations.
- Professional level experience developing and carrying out a public involvement process.
- Professional level experience in working within rigid timeframes and meeting deadlines.

Bidders who do not meet these minimum qualifications shall be deemed non-responsive and will not receive further consideration.

Evaluation process:

Review Process

A subcommittee appointed by the Flood Authority will review and rate proposals. The subcommittee will recommend finalists for interviews or select a team. If the subcommittee decides interviews are necessary the interviews will occur during the week of March 22, 2010 and selection of a firm by March 26, 2010.

Evaluation Criteria

Consultants will be ranked based upon the qualifications and experience of the consultant team. Consultants will be evaluated on:

- Demonstrated expertise and experience in formation of flood districts and other special purpose districts.
- Key personnel, experience, and knowledge.
- Past performance and references .
- Success in working with public sector clients, including effective public involvement, and tribal government.

The Flood Authority reaffirms its right to make any selection it deems prudent.

The successful individual, firm, or consultant team selected will perform a variety of duties as agreed upon in the final negotiated Scope of Work. The selected consultant and Lewis County will finalize the contract terms and conditions. If Lewis County and the selected consultant are unable to agree on terms and conditions at this point, Lewis County may exercise its right to negotiate with other consultants. The Flood Authority will validate any recommendation or tentative agreement made by Lewis County, acting as the Lead Agency.

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